

Cosmetic Act and the Public Health Service Act to facilitate the development and approval of new drugs and biological products, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. NEY, recognized Mr. BLILEY and Mr. DINGELL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. NEY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to facilitate the development and approval of new drugs and biological products, and for other purposes."

On motion of Mr. BLILEY, by unanimous consent, the bill of the Senate (S. 830) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes.

When said bill was considered and read twice.

Mr. BLILEY submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 1411, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title of the bill was amended so as to read: "An Act to amend the Antiquities Act regarding the establishment by the President of certain national monuments."

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

By unanimous consent, H.R. 1411, a similar House bill, was laid on the table.

¶114.11 THE ANTIQUITIES ACT

The SPEAKER pro tempore, Mr. QUINN, pursuant to House Resolution 256 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1127) to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres.

Mr. SNOWBARGER, Chairman of the Committee of the Whole, resumed the chair;

¶114.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. VENTO:

Page 3, line 14, strike "unless and until" and insert "until 1 year after".

Page 3, beginning on line 16, insert a period after "Congress" and strike all that follows through the period on line 18 and insert in lieu thereof: "During the period of review, Federal lands within the proclamation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the mining laws, and from disposition under all mineral and geothermal leasing laws."

It was decided in the { Yeas 201
negative Nays 224

¶114.13

[Roll No. 493]

AYES—201

Abercrombie	Gutierrez	Morella
Ackerman	Hall (OH)	Nadler
Allen	Hamilton	Neal
Andrews	Harman	Obey
Baldacci	Hastings (FL)	Olver
Barcia	Hefner	Owens
Barrett (WI)	Hinchey	Pallone
Becerra	Hinojosa	Pascarell
Bentsen	Hooley	Pastor
Berman	Houghton	Payne
Blagojevich	Hoyer	Pelosi
Blumenauer	Jackson (IL)	Pomeroy
Bonior	Jackson-Lee	Porter
Borski	(TX)	Poshard
Boucher	Jefferson	Price (NC)
Brown (CA)	John	Rahall
Brown (FL)	Johnson (CT)	Ramstad
Brown (OH)	Johnson (WI)	Rangel
Capps	Johnson, E. B.	Reyes
Cardin	Kanjorski	Rivers
Carson	Kaptur	Rodriguez
Castle	Kelly	Roemer
Clay	Kennedy (MA)	Rothman
Clement	Kennedy (RI)	Roukema
Clyburn	Kennelly	Roybal-Allard
Conyers	Kildee	Rush
Costello	Kilpatrick	Sabo
Coyne	Kind (WI)	Sanchez
Cramer	King (NY)	Sanders
Cummings	Kleczka	Sandlin
Davis (FL)	Kucinich	Sawyer
Davis (IL)	Lampson	Saxton
Davis (VA)	Lantos	Schumer
DeFazio	Lazio	Scott
DeGette	Leach	Serrano
Delahunt	Levin	Shays
DeLauro	Lewis (GA)	Sherman
Dellums	Lipinski	Skaggs
Deutsch	LoBiondo	Skelton
Dicks	Lofgren	Slaughter
Dingell	Lowe	Smith (NJ)
Dixon	Luther	Smith, Adam
Doggett	Maloney (CT)	Snyder
Dooley	Maloney (NY)	Spratt
Engel	Manton	Stabenow
English	Markey	Stark
Eshoo	Martinez	Stokes
Etheridge	Mascara	Strickland
Evans	Matsui	Stupak
Farr	McCarthy (MO)	Tanner
Fattah	McCarthy (NY)	Tauscher
Fawell	McDermott	Taylor (MS)
Fazio	McGovern	Thurman
Filner	McHale	Tierney
Flake	McIntyre	Torres
Foglietta	McKinney	Towns
Forbes	McNulty	Velazquez
Ford	Meehan	Vento
Fox	Meek	Visclosky
Frank (MA)	Menendez	Waters
Franks (NJ)	Millender-McDonald	Watt (NC)
Frost	Miller (CA)	Waxman
Furse	Minge	Wexler
Gejdenson	Mink	Wise
Gephardt	Moakley	Woolsey
Gilman	Mollohan	Wynn
Gordon	Moran (VA)	Yates
Green		

NOES—224

Aderholt	Armey	Baessler
Archer	Bachus	Baker

Ballenger	Gillmor	Paul
Barr	Goode	Paxon
Barrett (NE)	Goodlatte	Pease
Bartlett	Goodling	Peterson (MN)
Barton	Goss	Peterson (PA)
Bass	Graham	Petri
Bateman	Granger	Pickering
Bereuter	Greenwood	Pickett
Berry	Gutknecht	Pitts
Bilbray	Hall (TX)	Pombo
Bilirakis	Hansen	Portman
Bishop	Hastert	Pryce (OH)
Bliley	Hastings (WA)	Quinn
Blunt	Hayworth	Radanovich
Boehlert	Hefley	Redmond
Boehner	Herger	Regula
Bonilla	Hill	Riggs
Bono	Hilleary	Riley
Boswell	Hobson	Rogan
Boyd	Hoekstra	Rogers
Brady	Holden	Rohrabacher
Bryant	Horn	Ros-Lehtinen
Bunning	Hostettler	Royce
Burr	Hulshof	Ryun
Burton	Hunter	Salmon
Buyer	Hutchinson	Sanford
Callahan	Hyde	Scarborough
Calvert	Inglis	Schaefer, Dan
Camp	Istook	Schaffer, Bob
Campbell	Jenkins	Sensenbrenner
Canady	Johnson, Sam	Sessions
Cannon	Jones	Shadeegg
Chabot	Kasich	Shaw
Chambliss	Kim	Shimkus
Chenoweth	Kingston	Shuster
Christensen	Klink	Sisisky
Coble	Klug	Skeen
Coburn	Knollenberg	Smith (MI)
Collins	Kolbe	Smith (OR)
Combest	LaHood	Smith (TX)
Condit	Largent	Smith, Linda
Cook	Latham	Snowbarger
Cooksey	LaTourette	Solomon
Cox	Lewis (KY)	Souder
Crane	Linder	Spence
Crapo	Livingston	Stearns
Cubin	Lucas	Stenholm
Cunningham	Manzullo	Stump
Danner	McCollum	Sununu
Deal	McCrery	Talent
DeLay	McDade	Tauzin
Diaz-Balart	McHugh	Taylor (NC)
Dickey	McInnis	Thomas
Doolittle	McIntosh	Thornberry
Doyle	McKeon	Thune
Dreier	Metcalfe	Tiahrt
Duncan	Mica	Traficant
Dunn	Miller (FL)	Turner
Edwards	Moran (KS)	Upton
Ehlers	Murtha	Walsh
Ehrlich	Myrick	Wamp
Emerson	Nethercutt	Watkins
Ensign	Neumann	Watts (OK)
Everett	Ney	Weldon (FL)
Ewing	Northup	Weldon (PA)
Foley	Norwood	Weller
Fowler	Nussle	White
Frelinghuysen	Oberstar	Whitfield
Galleghy	Ortiz	Wicker
Ganske	Oxley	Wolf
Gekas	Packard	Young (AK)
Gibbons	Pappas	Young (FL)
Gilchrist	Parker	

NOT VOTING—8

Clayton	LaFalce	Thompson
Gonzalez	Lewis (CA)	Weygand
Hilliard	Schiff	

So the amendment was not agreed to.

¶114.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. HANSEN:

Strike all after the enacting clause and insert:

SECTION 1. SHORT TITLE

This Act may be cited as the "National Monument Fairness Act of 1997".

SEC. 2. CONGRESSIONAL REVIEW OF NATIONAL MONUMENT STATUS AND CONSULTATION.

Section 2 of the Act of June 8, 1906, commonly referred to as the "Antiquities Act"

(34 Stat. 225; 16 U.S.C. 431) is amended by adding the following at the end thereof: "A proclamation of the President under this section that results in the designation of a total acreage in excess of 50,000 acres in a single State in a single calendar year as a national monument may not be issued until 30 days after the President has transmitted the proposed proclamation to the Governor of the State in which such acreage is located and solicited such Governor's written comments, and any such proclamation shall cease to be effective on the date 2 years after issuance unless the Congress has approved such proclamation by joint resolution."

It was decided in the { Yeas 222
affirmative } Nays 202

¶114.15 [Roll No. 494]

AYES—222

Aderholt	Frelinghuysen	Oxley
Archer	Gallegly	Packard
Armey	Ganske	Pappas
Bachus	Gekas	Parker
Baker	Gibbons	Paxon
Ballenger	Gilchrest	Pease
Barcia	Gillmor	Peterson (MN)
Barr	Goode	Peterson (PA)
Barrett (NE)	Goodlatte	Petri
Bartlett	Goodling	Pickering
Barton	Goss	Pickett
Bass	Graham	Pitts
Bateman	Granger	Portman
Bereuter	Greenwood	Pryce (OH)
Berman	Gutknecht	Radanovich
Bilbray	Hall (TX)	Redmond
Bilirakis	Hansen	Regula
Bishop	Hastert	Riggs
Bliley	Hastings (WA)	Riley
Blunt	Hayworth	Rogan
Boehlert	Hefley	Rogers
Boehner	Herger	Rohrabacher
Bonilla	Hill	Ros-Lehtinen
Bono	Hilleary	Royce
Boswell	Hobson	Ryun
Boyd	Hoekstra	Salmon
Brady	Horn	Sandlin
Bryant	Hostettler	Sanford
Bunning	Houghton	Scarborough
Burr	Hulshof	Schaefer, Dan
Burton	Hunter	Schaffer, Bob
Buyer	Hutchinson	Sensenbrenner
Callahan	Hyde	Sessions
Calvert	Inglis	Shadeegg
Camp	Istook	Shaw
Campbell	Jenkins	Shimkus
Canady	Johnson, Sam	Shuster
Cannon	Jones	Sisisky
Castle	Kasich	Skeen
Chabot	Kim	Skelton
Chambliss	Kingston	Smith (MI)
Christensen	Klug	Smith (OR)
Coble	Knollenberg	Smith (TX)
Coburn	Kolbe	Smith, Linda
Collins	LaHood	Snowbarger
Combest	Largent	Solomon
Condit	Latham	Souder
Cook	LaTourette	Spence
Cox	Lewis (CA)	Stearns
Cramer	Lewis (KY)	Stenholm
Crane	Linder	Stump
Crapo	Livingston	Sununu
Cubin	Lucas	Talent
Cunningham	Manzullo	Tanner
Danner	McCollum	Tauzin
Deal	McCrery	Taylor (NC)
DeLay	McDade	Thomas
Diaz-Balart	McHugh	Thornberry
Dickey	McInnis	Thune
Dooley	McIntosh	Tiahrt
Doolittle	McKeon	Traficant
Dreier	Metcalfe	Upton
Duncan	Mica	Wamp
Dunn	Miller (FL)	Watkins
Edwards	Moran (KS)	Watts (OK)
Ehlers	Myrick	Weldon (FL)
Ehrlich	Nethercutt	Weldon (PA)
Emerson	Neumann	Weller
Ensign	Ney	White
Everett	Northup	Whitfield
Ewing	Norwood	Wicker
Fawell	Nussle	Wolf
Foley	Oberstar	Woolsey
Fowler	Ortiz	Young (AK)

NOES—202

Abercrombie	Hamilton	Nadler
Ackerman	Harman	Neal
Allen	Hastings (FL)	Obey
Andrews	Hefner	Olver
Baessler	Hinchee	Owens
Baldacci	Hinojosa	Pallone
Barrett (WI)	Holden	Pascarell
Bentsen	Hooley	Pastor
Berry	Hoyer	Paul
Blagojevich	Jackson (IL)	Payne
Blumenauer	Jackson-Lee	Pelosi
Bonior	(TX)	Pombo
Borski	John	Pomeroy
Boucher	Johnson (CT)	Porter
Brown (CA)	Johnson (WI)	Poshard
Brown (FL)	Johnson, E. B.	Price (NC)
Brown (OH)	Kanjorski	Quinn
Capps	Kaptur	Rahall
Cardin	Kelly	Ramstad
Carson	Kennedy (MA)	Rangel
Chenoweth	Kennedy (RI)	Reyes
Clay	Kennelly	Rivers
Clayton	Kildee	Rodriguez
Clement	Kilpatrick	Roemer
Clyburn	Kind (WI)	Rothman
Conyers	King (NY)	Roukema
Costello	Klecza	Roybal-Allard
Coyne	Klink	Rush
Cummings	Kucinich	Sabo
Davis (FL)	Lampson	Sanchez
Davis (IL)	Lantos	Sanders
Davis (VA)	Lazio	Sawyer
DeFazio	Leach	Saxton
DeGette	Levin	Schumer
Delahunt	Lewis (GA)	Scott
DeLauro	Lipinski	Serrano
Dellums	LoBiondo	Shays
Deutsch	Loftgren	Sherman
Dicks	Lowey	Skaggs
Dingell	Luther	Slaughter
Dixon	Maloney (CT)	Smith (NJ)
Doggett	Maloney (NY)	Smith, Adam
Doyle	Manton	Snyder
Engel	Markey	Spratt
English	Martinez	Stabenow
Eshoo	Mascara	Stark
Etheridge	Matsui	Stokes
Evans	McCarthy (MO)	Strickland
Farr	McCarthy (NY)	Stupak
Fattah	McDermott	Tauscher
Fazio	McGovern	Taylor (MS)
Filner	McHale	Thurman
Flake	McIntyre	Tierney
Foglietta	McKinney	Torres
Forbes	McNulty	Towns
Ford	Meehan	Turner
Fox	Meek	Velazquez
Frank (MA)	Menendez	Vento
Franks (NJ)	Millender-McDonald	Visclosky
Frost	Miller (CA)	Walsh
Furse	Minge	Waters
Gedjenson	Mink	Watt (NC)
Gephardt	Molloy	Waxman
Gilman	Moakley	Wexler
Gordon	Mollohan	Wise
Green	Moran (VA)	Wynn
Gutierrez	Morella	Yates
Hall (OH)	Murtha	Young (FL)

NOT VOTING—9

Becerra	Hilliard	Schiff
Cooksey	Jefferson	Thompson
Gonzalez	LaFalce	Weygand

So the amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore, Mr. QUINN, assumed the Chair.

When Mr. SNOWBARGER, Chairman, pursuant to House Resolution 256, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Monument Fairness Act of 1997".

SEC. 2. CONGRESSIONAL REVIEW OF NATIONAL MONUMENT STATUS AND CONSULTATION.

Section 2 of the Act of June 8, 1906, commonly referred to as the "Antiquities Act" (34 Stat. 225; 16 U.S.C. 431) is amended by adding the following at the end thereof: "A proclamation of the President under this section that results in the designation of a total acreage in excess of 50,000 acres in a single State in a single calendar year as a national monument may not be issued until 30 days after the President has transmitted the proposed proclamation to the Governor of the State in which such acreage is located and solicited such Governor's written comments, and any such proclamation shall cease to be effective on the date 2 years after issuance unless the Congress has approved such proclamation by joint resolution."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. QUINN, announced that the yeas had it.

Mr. MILLER of California demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 229
affirmative } Nays 197

¶114.16 [Roll No. 495]

YEAS—229

Aderholt	Cramer	Houghton
Archer	Crane	Hulshof
Armey	Crapo	Hunter
Bachus	Cubin	Hutchinson
Baessler	Cunningham	Hyde
Baker	Danner	Inglis
Ballenger	Deal	Istook
Barcia	DeLay	Jenkins
Barr	Diaz-Balart	Johnson, Sam
Barrett (NE)	Dickey	Jones
Bartlett	Dooley	Kasich
Barton	Doolittle	Kim
Bass	Dreier	King (NY)
Bateman	Duncan	Kingston
Bereuter	Dunn	Klink
Berry	Edwards	Klug
Bilbray	Ehrlich	Knollenberg
Bilirakis	Emerson	Kolbe
Bishop	Ensign	LaHood
Bliley	Everett	Largent
Blunt	Fawell	Latham
Boehlert	Foley	LaTourette
Boehner	Fowler	Lewis (CA)
Bonilla	Frelinghuysen	Lewis (KY)
Bono	Gallegly	Linder
Boswell	Ganske	Livingston
Boyd	Gekas	Lucas
Brady	Gibbons	Manzullo
Bryant	Gilchrest	McCollum
Bunning	Gillmor	McCrery
Burr	Goode	McDade
Burton	Goodlatte	McHugh
Buyer	Goodling	McInnis
Callahan	Goss	McIntosh
Calvert	Graham	McKeon
Camp	Granger	Metcalfe
Campbell	Green	Mica
Canady	Greenwood	Miller (FL)
Cannon	Gutknecht	Moran (KS)
Castle	Hall (TX)	Myrick
Chabot	Hansen	Nethercutt
Chambliss	Hastert	Neumann
Chenoweth	Hastings (WA)	Ney
Christensen	Hayworth	Northup
Coble	Hefley	Norwood
Coburn	Herger	Nussle
Collins	Hill	Oberstar
Combest	Hilleary	Ortiz
Condit	Hobson	Oxley
Cook	Hoekstra	Packard
Cooksey	Horn	Pappas
Cox	Hostettler	Parker